

NM center on law and poverty

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HSD To Take Smart New Approach to Healthcare for the Incarcerated

New Mexico – April 13, 2015 – On Friday, Governor Martinez signed Senate Bill 42 into law. Under the new law, the NM Human Services Department (HSD) will no longer terminate Medicaid coverage for individuals who are incarcerated, suspending their enrollment instead. The law also calls for HSD to give incarcerated individuals who are not yet enrolled in Medicaid the opportunity to apply for coverage before they are released. These simple changes will make it much easier for people newly released from jail or prison to have immediate access to healthcare services upon re-entering the community. This can make a big difference to our state and to recently released individuals and their families.

As a group, the incarcerated face higher rates of mental illness, substance dependence, and chronic diseases, making healthcare coverage at release critical to successful re-entry into the community. Without Medicaid, individuals are entering their communities often with only a few days of prescriptions and no support for behavioral health and other conditions. New Mexico now joins a list of other states where it has been shown that people who are enrolled in Medicaid are less likely to be rearrested, and more likely to participate in behavioral health treatment and other healthcare services than individuals without Medicaid coverage. That means significant savings for the state in healthcare and criminal justice costs while improving public safety.

These changes come at a good time for our state. It is no secret our state's capacity to treat behavioral health needs priority attention. New Mexican families know firsthand that our communities are struggling to provide adequate access to behavioral healthcare and services, which at times has led to tragic consequences for loved ones. This law does not solve all of those problems but is a good step forward in increasing an individual's likelihood of receiving the care and services they need, both in physical and behavioral health, and successfully re-entering the community.

Both sides of aisle recognized these benefits during the session where the legislation was one of the few bills that garnered overwhelming bi-partisan support. The sponsors of the bill, Senator Ortiz y Pino and Representative Baldonado, were joined by most of their colleagues in the legislature, as well as by Secretary Brent Earnest of the Human Services Department and of course, Governor Martinez in establishing this promising new approach to reducing recidivism, improving opportunities for rehabilitated citizens to succeed, and increasing public safety.